UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

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ARI TEMAN,

Plaintiff,

: 23-CV-1296 (ALC)

-against- : ORDER

DOES 1-10, GRANICUS, INC. and T-MOBILE USA, INC.,

:

Defendants.

ANDREW L. CARTER, JR., United States District Judge:

On October 13, 2023, the Court ordered Plaintiff to show cause by October 27, 2023 as to why this action should not be dismissed without prejudice for failure to prosecute the case pursuant to Fed. R. Civ. P. 41(b). ECF No. 32. Such showing was not made. Accordingly, this case is dismissed without prejudice for failure to prosecute pursuant to Fed. R. Civ. P. 41(b). *See LeSane v. Hall's Sec. Analyst, Inc.*, 239 F.3d 206, 209 (2d Cir. 2001) ("[I]t is unquestioned that Rule 41(b) also gives the district court authority to dismiss a plaintiff's case sua sponte for failure

SO ORDERED.

to prosecute . . . ").

Dated: January 9, 2024

New York, New York

ANDREW L. CARTER, JR. United States District Judge

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